

Senator Raff Ciccone  
Chair  
Senate Standing Committee  
on Foreign Affairs, Defence and Trade

8 October 2025

Dear Chair,

**Inquiry on issues related to veterans accessing compensation and income support**

Thank you for the opportunity to provide a submission as part of this Inquiry. National Legal Aid represents the eight state and territory Legal Aids in Australia. Legal Aids are independent statutory bodies that provide legal assistance to people experiencing disadvantage, including veterans.

From 2021-2023 National Legal Aid, in partnership with the Legal Aids, delivered the national Defence and Veterans Legal Service (DAVLS) to support veterans and their families to participate in the Royal Commission into Defence and Veterans Suicide. During this period, the Royal Commission received submissions from almost 6,000 people. DAVLS supported about 1,500 of those individuals to prepare their submissions and provided legal assistance on matters related to those submissions. The majority of this legal assistance involved navigation of the veteran entitlements system, and legal support regarding veteran entitlements.

Legal Aid NSW also delivers the Veterans Advocacy Service and other Legal Aids have small teams focused on supporting the delivery of legal assistance to veterans, with a focus on entitlements.

Through our experience in delivering legal assistance to veterans we are aware that applying for entitlements can be extremely difficult and veterans often seek legal assistance during that process. Unfortunately, some law firms charge large amounts for legal support to undertake this. High fees are also being charged by some fee-for-service advocates (non-lawyers who don't have to cap their fees when helping people to apply for veteran entitlements).

Issues have also been identified in the quality of legal assistance and other advice provided by lay advocates. In 2022, DAVLS submission to the Royal Commission into Defence and Veterans Suicide identified the following:

*Given the complexity of the legislative scheme underlying veteran entitlements and the scope of DAVLS funding, when clients require advice in relation to entitlements, solicitors from DAVLS refer them for specialist advice and further assistance as appropriate for the individual. Clients in NSW are referred to the Legal Aid NSW Veterans Advocacy Service (VAS) and accredited advocates in the ex-service organisation network. For clients in all other jurisdictions, we rely on the ex-service organisation network in their state or territory.*

*Although most DAVLS clients are beyond the point of lodging their first primary claim, many say they do not have confidence in the Department of Veterans Affairs decision-making process. Our clients tell us that at the time of making their claim, they are at a point of crisis with limited means and have either had to make the claim without support or have used a lay advocate where available.*

*Clients report mixed experiences when using lay advocacy services. While there are excellent, experienced advocates, there is not consistent availability of the higher trained advocates in every service. Where a client has successfully made*

*an initial claim, there are often further claims that should be made, and some clients are reluctant to make these claims due to the difficulty and stress of their previous experience.*

There have been a number of reviews of veteran issues and the veteran entitlements system that have identified the need to provide adequate and appropriate legal assistance and advocacy to support veterans to navigate the entitlements and compensation systems.

In December 2018 Robert Cornall AO recommended establishing a Veterans' National Legal Service to be delivered by Legal Aids throughout Australia via National Legal Aid. He proposed that Legal Aid should be available for any veteran appealing access to entitlements within the Administrative Review Tribunal. This recommendation has not been enacted by government.<sup>1</sup>

Again, the final report of the Royal Commission into Defence and Veteran Suicide included a recommendation that focused on improving advocacy support services to assist veterans in pursuing access to compensation through a 3 year funding arrangement that supported professional, paid advocates to undertake this work.<sup>2</sup>

The Royal Commission into Defence and Veterans Suicide final report identified that Dedicated funding for veterans' legal assistance should continue:

*During our inquiry, the National Legal Assistance Partnership was reviewed... The review recommended priority client groups be expanded to include veterans and 'serving personnel experiencing bullying and harassment'.*

*We strongly endorse this recommendation, and commend DAVLS [the Defence and Veterans Legal Service] for its services to veterans... Its approach has*

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<sup>1</sup> [Veterans' Advocacy and Support Services Scoping Study | Department of Veterans' Affairs](#) pp 66-69. Recommendation 5

<sup>2</sup> [Final Report - Volume 1: Executive summary, recommendations and the fundamentals](#) Recommendation 99, p154

*emphasised the need for trauma-informed services, with strong relationships and referral pathways with ESOs [ex-service organisations].<sup>3</sup>*

The National Access to Justice Partnership replaced the National Legal Assistance Partnership in July 2025. However, veterans were not included within the Agreement as a priority client group and DAVLS did not receive any additional funding to continue providing services. It ceased delivering services in September 2024.

Despite this, Legal Aids are well placed to deliver a national service that provides legal assistance to veterans to navigate the entitlements and compensation systems. This service would be provided for free to veterans experiencing disadvantage and would address current issues including the high fees charged by some fee-for-service advocates and the quality of legal assistance and advocacy.

An evaluation of DAVLS in 2024 identified and recommended a national model that would focus service delivery in priority veterans' communities and work in partnership and collaboratively with veterans' service hubs. The estimated cost of this model is approximately \$8 million per annum.

If you require additional information regarding this as required, please contact Katherine McKernan, Executive Director, National Legal Aid on 0425 288 446 or [katherine.mckernan@nationallegalaid.org.au](mailto:katherine.mckernan@nationallegalaid.org.au).

Yours sincerely,



Annmarie Lumsden

Chair, National Legal Aid

CEO, Legal Services South Australia

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<sup>3</sup> [Final Report - Volume 5: Transition, DVA and support for ex-serving members](#) pp450-451